

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF NORTH CAROLINA**

United States of America,

Plaintiff;

v.

Terry Johnson, in his official capacity as  
Alamance County Sheriff,

Defendant.

No. 12-cv-1349

**UNITED STATES' MOTION FOR  
SUMMARY JUDGMENT**

# **Exhibit 26**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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UNITED STATES OF AMERICA,

Plaintiff,

v

No. 1:12-CV-1349

TERRY S. JOHNSON, IN HIS OFFICIAL  
CAPACITY AS ALAMANCE COUNTY SHERIFF

Defendant.  
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Deposition

of

RANDY E. DENHAM

In Greensboro, North Carolina

Tuesday, June 18, 2013

8:53 a.m.

**ORIGINAL**

Reported by:

Victoria L. Pittman, BA, CVR-CM-M  
for Margaret Powell, CVR-M  
Certified Verbatim Reporter  
(919) 779-0322

6/18/2013

Randy E. Denham

1 you know, the A number, you know, the alien number, and  
2 they wouldn't have that, you know. And a lot of times,  
3 I mean, we would have access to that, we wouldn't know  
4 it. It may be somebody that had been arrested and been  
5 encountered by us previously, and they had been  
6 released back on the street, and we would have access  
7 to that information. So, you know, we would have -- we  
8 could validate that and say, yes, this is without a  
9 doubt this individual, because he's been off a prior  
10 encounter.

11 Q How long does it take to run someone's name?

12 A Oh, it don't take no time. I mean, you know,  
13 if you've got good information, you just type it in,  
14 you know, if you get a hit.

15 Q Okay. How do people at the Sheriff's Office  
16 generally refer to Hispanics? What terms have you  
17 heard?

18 A All right. Like --

19 Q I should say nothing you say will offend me  
20 at all.

21 A Well, let me clarify this question. All  
22 right. How do you -- are you saying have I ever heard  
23 slang terms? Refer to them in slang? Or have I -- are  
24 you asking me have I heard them address that  
25 individual?

Margaret M. Powell, CVR-M - (919) 779-0322

1           Let me clarify this: I've never heard nobody  
2 address an individual using a derogatory term. Okay?

3           Now, I have heard slang terms used. Okay?

4       Q     What slang terms have you heard used?

5       A     Wetback. Tonk. Those, primarily.

6       Q     Tonk?

7       A     Tonk, yeah.

8       Q     How do you spell that?

9       A     I don't know. I don't know. And that --  
10 well, I don't know where that come from. I just heard  
11 somebody come in and use that, and then that was the  
12 way they referred them. I don't know where that term  
13 generated, where it started.

14       Q     And that's a term used to refer to Hispanic  
15 people?

16       A     It has been, yes.

17       Q     A term you consider derogatory?

18       A     Yeah, I would.

19       Q     What other slang terms have you heard?

20       A     Primarily those. That's about it. And I  
21 haven't heard a lot of it, you know, but I have heard  
22 it in -- people will be talking, you know, and they may  
23 refer to a person as being a wetback or something like  
24 that.

25       Q     What are the contexts in which you hear those